

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Mohammad Nathaniel Wilson,

Plaintiff,

vs.

Berkeley County, City of Hanahan Police
Department,

Defendants.

C/A No. 2:20-3567-BHH

ORDER AND OPINION

This matter is before the Court for review of the Report and Recommendation (“Report”) of United States Magistrate Judge Mary Gordon Baker, made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South Carolina. On July 13, 2021, Magistrate Judge Baker issued a Report recommending that Defendants’ Motion to Dismiss, or in the Alternative, Motion for Summary Judgment, be granted as to Plaintiff’s federal claims, and that Plaintiff’s state law claims be remanded to Berkeley County. (ECF No. 40.)

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. See *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1). The Court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. *Id.* The Court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made.

Plaintiff filed an untitled document, which was entered as an objection to the Magistrate Judge’s Report, and which the Court has carefully reviewed. (ECF No. 48.)

Objections to the Report must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. *United States v. Schronce*, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report, this Court is not required to give any explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the Court finds that Plaintiff's "objections" are non-specific, unrelated to the dispositive portions of the Report, or merely restate his claims. Plaintiff's objections provide no basis for this Court to deviate from the Magistrate Judge's recommended disposition. Therefore, after a thorough review of the Report, the record, and the applicable law, the Court finds that Plaintiff's objections are without merit.

For the reasons set forth above, the Court agrees with the Magistrate Judge that Defendants are entitled to summary judgment. Plaintiff's objections are overruled and the Report is adopted and incorporated herein by reference.

It is therefore ordered that Defendant's motion for summary judgment (ECF No. 29) as to Plaintiff's federal claims is GRANTED. It is further ordered that Plaintiff's state law claims be remanded to the Berkeley County Court of Common Pleas.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks
United States District Judge

August 17, 2021
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.